

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHRISTOPHER MOSBY,)	
)	
Petitioner,)	
)	1:13CV1137
v.)	
)	
NORA HUNT,)	
)	
Respondent.)	

ORDER

On December 30, 2013, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 3 and 4.) Petitioner filed an objection pursuant to § 636. (Doc. 5).

The court has reviewed the portions of the Magistrate Judge's report to which objection was made and has made a *de novo* determination, which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this Petition be DISMISSED WITHOUT PREJUDICE for failure to apply to the United States Court of Appeals for the Fourth Circuit for an order authorizing this district court to consider the current Petition as required by 28 U.S.C. § 2244.

/s/ Thomas D. Schroeder
United States District Judge

February 4, 2014